

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>BRENDAN BERGER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 1:19cv00099</b>
<b>v.</b>	)	
	)	<b>Judge: Hon. Susan J. Dlott</b>
<b>NATIONAL BOARD OF MEDICAL EXAMINERS,</b>	)	<b>Magistrate Judge: Hon. Karen L. Litkovitz</b>
	)	
<b>Defendant.</b>	)	
	)	

**UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITATION  
OF DEFENDANT NATIONAL BOARD OF MEDICAL EXAMINERS**

Pursuant to Local Civil Rule 7.2(a)(3) and this Court’s Standing Order on Civil Procedures, Defendant National Board of Medical Examiners (“NBME”) respectfully moves for leave to exceed the page limitation by five (5) pages in its forthcoming memorandum in opposition to Plaintiff’s Motion for Preliminary Injunction and to file the same without the summary as required by Local Civil Rule 7.2 and this Court’s Standing Order on Civil Procedures. The basis for this motion is set forth in the accompanying Memorandum in Support.

Dated: July 22, 2019

Respectfully submitted,

s/ Erin D. French

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Counsel for Defendant NBME

**MEMORANDUM IN SUPPORT**

Plaintiff filed his Motion for Preliminary Injunction on July 3, 2019 (Doc. 20). NBME's memorandum in opposition to Plaintiff's motion is due on July 24. This Court's hearing on Plaintiff's motion is scheduled for July 29 and 30.

NBME requests up to five (5) additional pages to respond to Plaintiff's Motion for Preliminary Injunction, which would increase NBME's total page limitation from twenty (20) to twenty-five (25) pages. While NBME will endeavor not to utilize all five additional pages, the increase in the page limitation will facilitate the complete presentation of pertinent facts and applicable case law by NBME in advance of this Court's hearing on Plaintiff's motion. In addition, because of the modest increase in page limitation, NBME requests that the Court dispense with the requirement that NBME include a summary of the principal arguments with citations to the primary authorities relied upon in the memorandum as required by Local Civil Rule 7.2 and this Court's Standing Order on Civil Procedures. Plaintiff does not oppose this motion.

For the foregoing reasons, NBME respectfully requests that this Court grant its motion for leave to exceed the page limitation and (1) allow NBME to file a memorandum in opposition to Plaintiff's Motion for Preliminary Injunction that does not exceed twenty-five (25) pages, exclusive of the table of contents as required by Local Civil Rule 7.2 and this Court's Standing Order on Civil Procedures, and (2) allow NBME to file the same without a summary as required by Local Civil Rule 7.2 and this Court's Standing Order on Civil Procedures. A proposed order is attached hereto for the Court's consideration.

Dated: July 22, 2019

Respectfully submitted,

s/ Erin D. French

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22nd day of July, 2019 the foregoing was filed via the Court's CM/ECF system, which will send notification of such filing to counsel of record for Plaintiff.

s/ Erin D. French  
Erin D. French

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
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**BRENDAN BERGER,**

**Plaintiff,**

**v.**

**NATIONAL BOARD OF MEDICAL  
EXAMINERS,**

**Defendant.**

**Case No. 1:19cv00099**

**Judge: Hon. Susan J. Dlott**

**Magistrate Judge: Hon. Karen L. Litkovitz**

**ORDER GRANTING UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE  
LIMITATION OF DEFENDANT NATIONAL BOARD OF MEDICAL EXAMINERS**

This matter is before the Court for consideration of the Unopposed Motion for Leave to Exceed Page Limitation of Defendant National Board of Medical Examiners (“NBME”) (Doc. 25) that requests up to five (5) additional pages to respond to Plaintiff’s Motion for Preliminary Injunction (Doc. 20) and that the Court dispense with the summary as required by Local Civil Rule 7.2 and this Court’s Standing Order on Civil Procedures. Upon consideration of the same and for good cause shown, the Court hereby grants NBME’s motion. NBME may file a memorandum in opposition to Plaintiff’s Motion for Preliminary Injunction that does not exceed twenty-five (25) pages, exclusive of the table of contents as required by Local Civil Rule 7.2 and this Court’s Standing Order on Civil Procedures. NBME is not required to include a summary as required by Local Civil Rule 7.2 and this Court’s Standing Order on Civil Procedures.

IT IS SO ORDERED.

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HONORABLE KAREN L. LITKOVITZ  
U.S. DISTRICT COURT MAGISTRATE JUDGE